CLERK'S COPY.

AMENDMENT OF CERTIFICATE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1938.

No. 548

H. V. B. SMITH, C. D. RAFFERTY AND H. S. McCORMICK, CO-PARTNERS TRADING AND DOING BUSINESS UNDER THE FIRM NAME AND STYLE OF H. J. BAKER & BRO.,
APPELLANTS AND CROSS-APPELLEES,

versus

MOTORSHIP "FERNCLIFF" AND GLITTRE AKTIESELSKABET AND FEARNLEY & EGER,
APPELLEES AND CROSS-APPELLANTS.

CROSS-APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF MARYLAND, AT BALTIMORE.
IN ADMIRALTY.

ON A CERTIFICATE FROM THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT.

Filed JAN 16 1939

United States Circuit Court of Appeals

FOURTH CIRCUIT.

No. 4385.

H. V. B. Smith, C. D. Rafferty and H. S. McCormick, co-partners trading and doing business under the firm name and style of H. J. Baker & Bro.,
Appellants and Cross-Appellees,

versus

Motorship "Ferncliff" and Glittre Aktieselskabet and Fearnley & Eger,
Appellees and Cross-Appellants.

Cross-Appeals from the District Court of the United States for the District of Maryland, at Baltimore.

Amendment of Certificate heretofore made to the Supreme Court of the United States.

This cause coming on to be heard upon motion of appellees and cross-appellants to amend the statement of facts as contained in the certificate, it is ordered that the said statement be amended as follows:

(1) At the time the statement of counsel was made as appears on page three of the certificate the statement was challenged by opposing counsel and nothing appears in the record with regard thereto.

(2) The record shows that no value was declared by the shipper on the shipment in question.

(3) The record on appeal contains no assignment of error challenging the legal validity of the valuation clause in question, but the question was argued before the court on questions from the bench.

(4) The record shows that the damages in question were negligently caused.

JOHN J. PARKER,
United States Circuit Judge,
MORRIS A. SOPER,
United States Circuit Judge,
H. H. WATKINS,
United States District Judge.

Endorsed:

"Filed and Entered
Jan. 11, 1939
Claude M. Dean, Clerk."

CLERK'S CERTIFICATE.

UNITED STATES OF AMERICA,
Fourth Circuit, ss:

I, CLAUDE M. DEAN, Clerk of the United States Circuit Court of Appeals for the Fourth Circuit, do certify that the aforegoing is a true copy of the original amendment of certificate heretofore made to the Supreme Court of the United States in the therein entitled cause filed and now remaining of record in the said United States Circuit Court of Appeals.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the seal of the said United States Circuit Court of Appeals for the Fourth Circuit, at Baltimore, Maryland, on this 14th day of January, A. D., 1939.

(Seal of Court)

CLAUDE M. DEAN, Clerk,
U. S. Circuit Court of Appeals,
Fourth Circuit.